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8 Attorneys for Plaintiff
9 ROGER BRUCKS

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

12 ROGER BRUCKS,

13 Plaintiff,

14 vs.

15 MATSON NAVIGATION COMPANY,
16 and DOES ONE through TEN, Inclusive.

17 Defendants.

No.: C 05 02098 MMC

CONDITIONAL ORDER OF DISMISSAL

18 The parties hereto, by their counsel, having advised the Court that they have agreed to
19 a settlement of this cause,

20 IT IS HEREBY ORDERED that this cause may be dismissed with prejudice; provided,
21 however, that if any party hereto shall certify to this Court with proof of service of a copy
22 thereof on opposing counsel, within 90 days from the date hereof, that the agreed consideration
23 for said settlement has not been delivered over, the foregoing Order shall stand vacated and
24 this cause shall forthwith be restored to the calendar to be set for trial.

25 IT IS SO ORDERED.

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27 Dated: May 22, 2006

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United States District Judge